IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11441 of 2004

Between:
Sulochanamma, W/o. Rama Krishna Reddy,
R/o. Jogireddygaripalli Village, H/o. Yerrabommanapalli,
Chakrayapeta Mandal, Cuddapah District.
..... PETITIONER

AND
1 The Revenue Divisional Officer, Cuddapah, Cuddapah District.
2 The Mandal Revenue Officer, Chandrayapeta, Chandrayapeta Mandal, Cuddapah District.
3 The Mandal Revenue Inspector, Chandrayapeta, Chandrayapeta Mandal, Cuddapah District.
4 The Joint Collector, Cuddapah, Cuddapah District.
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, more particularly one in the nature Writ of Mandamus declaring the action of the respondents in suspend the authorization of the Petitioner as a Fair Price Shop dealer by its proceedings Ref.C/357/2004 Dt. 29-6-2004 as illegal, arbitrary, unjust and without jurisdiction and consequently direct the respondents to continue the supplies to the petitioner's shop D.No. 4/34 of Chakrayapeta Mandal, Cuddapah District

For the Petitioner: MR.P.MADHUSUDHAN RAO, Advocate

For the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following ORDER:

This writ petition is filed by the petitioner aggrieved by the order of the first respondent dated 29.06.2004, under which her authorization was suspended on certain alleged irregularities stated to have been reported by the second respondent - Mandal Revenue Officer, Cuddapah District. Against the said order, the petitioner filed an appeal before the fourth respondent - Joint Collector, Cuddapah, who is the appellate authority, and also sought for interim suspension of the order of suspension. But, however, no orders have been passed by the fourth respondent so far. Therefore, the petitioner has come up with the present writ petition on the ground that the respondent may discontinue the petitioner from distributing the essential commodities under the guise of the order of the first respondent.

2. The learned counsel contended that the impugned order of suspension passed by the first respondent shows that the allegations are bald allegations without any specific instance of irregularity. Further, the first respondent did not enquire into the matter, but the order was passed basing on the report, which was sent
suo moto by the Mandal Revenue Officer, Cuddapah. However, the grievance of the petitioner is that no orders are passed by the fourth respondent – appellate authority.

3. In view of the pendency of the appeal before the fourth respondent against the order passed by the first respondent, it would be appropriate to continue the petitioner to distribute the essential commodities, pending disposal of the appeal. The fourth respondent is further directed to dispose of the appeal expeditiously, preferably within a period of three months from the date of receipt of a copy of this order.

4. The writ petition is accordingly disposed of at the admission stage.

07.07.2004

va

To

1 The Revenue Divisional Officer, Cuddapah, Cuddapah District.
2 The Mandal Revenue Officer, Chandrayapeta, Chandrayapeta Mandal, Cuddapah District.
3 The Mandal Revenue Inspector, Chandrayapeta, Chandrayapeta Mandal, Cuddapah District.
4 The Joint Collector, Cuddapah, Cuddapah District.
5 Two CCs to G.P. for Civil Supplies, High Court of A.P. Buildings, Hyderabad (OUT)
6 Two CD Copies.